

1 Mike Arias, Esq. (CSB #115385)
2 Mark A. Ozzello, Esq. (CSB #116595)
3 Mikael H. Stahle, Esq. (CSB #182599)
4 ARIAS OZZELLO & GIGNAC LLP
5 6701 Center Drive West, Suite 1400
6 Los Angeles, California 90045-1558
7 Tel: (310) 670-1600
8 Fax: (310) 670-1231
9 marias@aogllp.com

6 Walter L. Haines, Esq. (CSB #71075)
7 UNITED EMPLOYEES LAW GROUP, PC
8 65 Pine Avenue, Suite 312
9 Long Beach, CA 90802
10 Tel: (562) 256-1047
11 Fax: (562) 256-1006
12 walter@whaines.com

10 Attorneys for Class Plaintiffs

11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 JIMMY TRINH, an individual, on
14 behalf of himself and all others similarly
15 situated; ERIC STOREY, an individual,
16 on behalf of himself and all others
17 similarly situated,

16 Plaintiffs,

17 vs.

18 JPMORGAN CHASE & CO., a
19 Delaware corporation; JPMORGAN
20 CHASE BANK, N.A., a New York
21 corporation; CHASE MANHATTAN
22 MORTGAGE CORPORATION, a New
23 Jersey corporation; DOES 1 through 10,
24 inclusive,

22 Defendants.

Case No. '07 CV-01666 W (WMC)

Hon. Thomas J. Whelan

CLASS ACTION

**DECLARATION OF
ERIC STOREY IN SUPPORT OF
MOTION TO FACILITATE
NOTICE TO POTENTIAL CLASS
MEMBERS**

Date: February 19, 2008

Ctrm.: 7

**NO ORAL ARGUMENT
PER LOCAL RULES**

[FILED CONCURRENTLY WITH;

1. NOTICE OF MOTION;
2. MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
MOTION TO FACILITATE NOTICE
TO POTENTIAL CLASS MEMBERS;
3. DECLARATION OF JIMMY TRINH;
4. [PROPOSED] ORDER

Complaint Filed: August 22, 2007

Trial Date: None

1 11, ERIC STOREY, declare as follows:

- 2 1. 1I have personal knowledge of the matters stated herein, except as to
3 those matters stated upon information and belief, and as to those
4 matters I believe them to be true. If called as witness, I could and
5 would testify truthfully and competently to the matters stated herein.
- 6 2. 1I submit this declaration in support of Plaintiffs' Motion to Facilitate
7 Notice to Class Members in the action entitled *Jimmy Trinh v. JP*
8 *Morgan Chase & Co. et al.* United States District Court, Southern
9 District of California.
- 10 3. I was hired by JP Morgan Chase & Co. ("JP Morgan") (on
11 information and belief, acting in concert with, and on behalf of, co-
12 defendants JP Morgan Chase Bank, N.A., and Chase Manhattan
13 Mortgage Corporation) on December 1, 2006, to work in the Del Mar
14 branch of Chase (the branch is now closed). I was hired as an
15 "account executive" and "loan officer" to solicit loans. In essence, I
16 was selling loans to brokers, realtors, other loan officers, and the
17 general public. I was selling these loans based off of leads provided
18 by JP Morgan and my own referral sources.
- 19 4. Within approximately a month and half of my hiring, I was sent to the
20 Chase branch located in Rancho Bernardo, California for training.
21 During my training, I was part of approximately 20 to 25 employees
22 who were being simultaneously receiving the same information as
23 myself. These other account executive and loan officer employees
24 were from other branches across the country and included employees
25 from: Texas, San Francisco, Florida and Sacramento.
- 26 5. 1During this training, all employees received the same directive with
27 respect to our job duties and functions, were collectively informed of
28

1 the parameters which this job encompassed, and, the limits of our
2 authority. At this seminar, I believe, to an "nth" degree of certainty,
3 that each of the loan officers were given the same training manual. In
4 addition, during my employment, I had conversations with numerous
5 other employees, each of whom had been hired as account executives
6 and loan officers, and each of whom indicated to me that their
7 "training" was identical to that which I had received in Rancho
8 Bernardo.

- 9 6. It is my understanding that each of the account executives and loan
10 officers would solicit and sell loans based upon the same criteria. For
11 example, the loan applications were identical, the applications were
12 provided by JP Morgan, we would all obtain the same information
13 from the loan applicants, and we would all enter that information into
14 the same on-line system. If the potential borrower fit the all of the
15 guidelines that were set forth by JP Morgan, then we would get
16 approval from the branch and sales managers, to "sell" the loan.
- 17 7. Based on my interaction and conversations with other account
18 executives and loan officers, both during training and afterwards
19 when I began selling loans, it is my understanding that all of the base
20 salaries and commission compensation for the account executives and
21 loan officers were essentially the same.
- 22 8. There were 12 other account executive and loan officer employees in
23 the Del Mar office and I interacted with each of them. Based on that
24 interaction, it is my understanding that our job functions and method
25 of compensation was the same. I also traveled to the Rancho
26 Bernardo and Ontario branches for training. Based on my training in
27 those offices, I can attest that that all of the loan officers literally
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1 throughout the country, had the same job functions as in the Del Mar
2 office and were compensated in the same fashion and based upon the
3 same criteria.

4 9. While employed, I was required to work 10+ hours a day during the
5 week. My branch manager informed me, and every other loan
6 officer, that we were to work as many hours as possible, including
7 after hours, to sell as many loans as possible. In fact, towards the end
8 of my employment, the branch manager instituted a "mandatory"
9 weekend lead call generation. Loan officers were required to work
10 approximately 3 hours during the weekend making calls to potential
11 loan applicants.

12 10. Based on my interaction and conversations with other account
13 executives and loan officers, it is my understanding that none of these
14 employees, including myself, were compensated for any of the
15 overtime hours we worked. I know I was not.

16
17 I declare under penalty of perjury, under the laws of the State of
18 California, that the foregoing is true and correct. Executed this 15 day of
19 January, 2008, at San Diego, California.

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21 
22 ERIC STOREY
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PROOF OF E-FILING SERVICE**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 6701 Center Drive West, Suite 1400, Los Angeles, California 90045.

On **January 15, 2008**, I served a true and correct copy of the foregoing document described as: **DECLARATION OF ERIC STOREY IN SUPPORT OF MOTION TO FACILITATE NOTICE TO POTENTIAL CLASS MEMBERS** on the interested parties in this action as follows:

Barbara J. Miller, Esq.
 Darren J. Campbell, Esq.
Morgan, Lewis & Bockius LLP
 5 Park Plaza, Suite 1750
 Irvine, CA 92614
 Tel: (949) 399-7000
 Fax: (949) 399-7001
barbara.miller@morganlewis.com
dcampbell@morganlewis.com

Attorneys for Defendants JPMorgan Chase & Co.; JPMorgan Chase Bank, N.A.; and Chase Manhattan Mortgage Corporation

☐ **BY MAIL:** I deposited the envelopes for mailing in the ordinary course of business at Los Angeles, California. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice, the sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business with postage thereon fully prepaid at Los Angeles, California.

☐ **BY FAX:** I hereby certify that this document was served by facsimile delivery on the parties listed herein at their most recent fax number of record in this action on January 15, 2008, from Los Angeles, California.

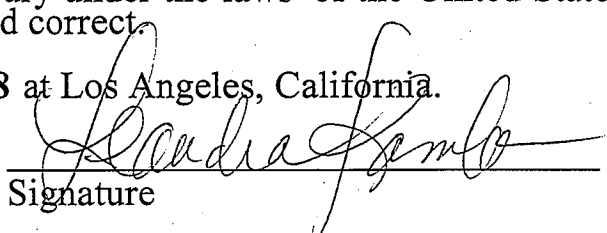
☒ **BY E-MAIL:** I hereby certify that this document was served by e-mail delivery on the parties listed herein, via electronic transmission of the "Notice of Electronic Filing" (NEF), at the time of electronically filing the document(s).

☐ **BY PERSONAL SERVICE:** I delivered such envelope by hand to the offices of the addressee named herein.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on **January 15, 2008** at Los Angeles, California.

Leandra Kamba
 Type or Print Name


 Signature